27140.010 **Practitioner's Docket No.**

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE Jack Y. Peng, Mark R. van den Bergh and

In re application of:

William C. Harrigan

Application No.: 10 /718,101

Group No.: 1742

Filed: 11/18/2003

Examiner: Daniel J. Jenkins

For: MANUFACTURING METHOD FOR HIGH YIELD RATE OF METAL MATRIX

COMPOSITE SHEET PRODUCTION

Mail Stop Amendment X RCE **Commissioner for Patents** P.O. Box 1450 Alexandria, VA 22313-1450

PETITION AND FEE FOR EXTENSION OF TIME (37 C.F.R. 8 1.136(a))

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1.		f the time for a total period of <u>one</u> months
to		
	•	matter being extended)
	to conclude processing or examination in excess of three months that are taken objection, argument, or other request, or action was mailed or given to the app shall be reduced by the number of days after the date of mailing or transmissi rejection, objection, argument, or other	t shall be deemed to have failed to engage in reasonable efforts of an application for the cumulative total of any periods of time to reply to any notice or action by the Office making any rejection, measuring such three-month period from the date the notice licant, in which case the period of adjustment set forth in § 1.703 s, if any, beginning on the day after the date that is three months ion of the Office communication notifying the applicant of the request and ending on the date the reply was filed. The period, y that is set in the Office action or notice has no effect on the aragraph."
	(When using Express Mail, the	ER 37 C.F.R. §§ 1.8(a) and 1.10* Express Mail label number is mandatory; il certification is optional.)
l h	nereby certify that, on the date shown below, t	his correspondence is being:
	•	MAILING
X	deposited with the United States Postal Service Box 1450, Alexandria, VA 22313-1450	ce in an envelope addressed to Commissioner for Patents, P.O.
	37 C.F.R. § 1.8(a)	37 C.F.R. § 1.10 *
	with sufficient postage as first class mail.	as "Express Mail Post Office to Addressee"
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	·	RANSMISSION Label No. Em 303322161 US
	facsimile transmitted to the Patent and Trade	emark Office, (571) 273-8300. 08/26/2008 EFLORES 00000001 10718101 08/26/2008 EFLORES 00000001 10718101 10.00 DA 395.00 OF
	A 25.2.03	Signature
Da	nte: Aug 15,2003	Thomas I. Rozsa
		(type or print name of person certifying)
		sed in a patent term adjustment calculation, although the date der § 1.8 continues to be taken into account in determining

timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

08/26/2008 EFLORES (PORRES of page 2 of Figure 1 of 3)

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26/20/2016 525 5232 8868636+ 162252 - 16718161 82 EC:2251____ 10.00 DA 50.83 gp

NOTE: "Extensions of Time in Patent Cases (Supplement Amendments)-If a timely and complete response has been filed after a Non-Final Office Action, an extension of time is not required to permit filing and/or entry of an additional amendment after expiration of the shortened statutory period.

"If a timely response has been filed after a Final Office Action, an extension of time is required to permit filing and/or entry of a Notice of Appeal or filing and/or entry of an additional amendment after expiration of the shortened statutory period unless the timely-filed response placed the application in condition for allowance. Of course, if a Notice of Appeal has been filed within the shortened statutory period, the period has ceased to run." Notice of Dec. 10, 1985 (1061 O.G. 34-35).

NOTE: See 37 C.F.R. § 1.645 for extensions of time in interference proceedings and 37 C.F.R. § 1.550(c) for extensions of time in reexamination proceedings.

NOTE: An extension of time under 37 C.F.R. § 1.136(a)(1) is available unless:

- "(i) Applicant is notified otherwise in an Office action;
- "(ii) The reply is a reply brief submitted pursuant to § 1.193(b);
- "(iii) The reply is a request for an oral hearing submitted pursuant to § 1.194(b):
- "(iv) The reply is to a decision by the Board of Patent Appeals and Interferences pursuant to § 1.196, § 1.197 or § 1.304; or
- "(v) The application is involved in an interference declared pursuant to § 1.611."
- 2. A response in connection with the matter for which this extension is requested:
 - is filed herewith.
 - has been filed.

(complete the following, if applicable)

NOTE: The PTO accepts the filing of a continuing application as a response under 37 C.F.R. §§ 1.136 and 1.137. To facilitate processing in such a case, the petition for extension of time should specifically refer to the filing of a continuing application and also include an express abandonment of the prior application conditioned upon the granting of the petition and the granting of a filing date to the continuing application. Notice of May 13, 1983, 1031 O.G. 11-12.

The response is the filing of a continuation application having an express abandonment conditioned on the granting of a filing date to the continuing application.

- 3. Applicant is
 - a small entity. A statement:
 - is attached.
 - was already filed.
 - other than a small entity.
- 4. Calculation of extension fee (37 C.F.R. § 1.17(a)(1)—(5)):

	Extension (months)		r other than		Fee for small entity	<u>!</u>
图	one month	\$	120.00		\$ 60.00	
	two months	\$	450.00		\$ 225,00	230.00
	three months	. \$ 1	1,020.00		\$ 510000	525.00
	four months	\$ 1	1,590.00		\$ 795.00	
	five months	\$ 2	2,160.00		\$ 1,080.00	
			- Eas-	œ	60.00	

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

(Petition and Fee for Extension of Time (37 C.F.R. § 1.136(a) [11-2]—page 2 of 3)

	An extension for	months has already bee	en secured. The fee paid	
	therefor of \$		the total fee due for the	
	total months of extension no	w requested.		
	•			
	Extension fee	due with this request	\$_60.00	
5. Exte	nded period for response			
petif	ased on the extension requested tion has been filed, if any), the 28/2008 (Date).		·	
6. Fee	Payment			
	If there is a fee deficiency and there is necessary to cover the additional time of six-month period has expired before to abandoned. In those instances where encountered in returning the papers to to action on the cases. Authorization to checked. See the Notice of April 7, 19	consumed in making up the origing the deficiency is noted and correct authorization to charge is incurted the PTO Finance Branch in order the charge the deposit account for	inal deficiency. If the maximum, rected, the application is held cluded, processing delays are er to apply these charges prior	
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Mail Stop Amendment^{XX} RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

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Dai	te: Avs 25,	v5 25,2008			ignature Thomas I.	Rozsa			-
				(1	ype or print name	of person ce	ertifying)		-

(Petition and Fee for Extension of Time (37 C.F.R. § 1.136(a) [11-2]—page 1 of 3)

^{*} Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

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Extension (months)	Fee for other than small entity	Fee for small entity
one month two months three months four months five months	\$ 120.00 \$ 450.00 \$ 1,020.00 \$ 1,590.00 \$ 2,160.00	\$ 60.00 \$ 225.00 230.00 \$ 570.00 525.00 \$ 795.00 \$ 1,080.00
	· Fee:	60.00

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(check and complete the next item, if applicable)

(Petition and Fee for Extension of Time (37 C.F.R. § 1.136(a) [11-2]—page 2 of 3)

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